

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 204 – HB 240

March 18, 2013

**SUMMARY OF ORIGINAL BILL:** Requires local education agencies (LEAs) to notify parents of their rights under the federal Family Educational Rights and Privacy Act of 1974 (FERPA), relating to access to students' records and information by which parents may access LEA policies and curriculum.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004403):** Deletes all language after the enacting clause. Requires contracts for energy-related services that include engineering and equipment designed to reduce energy costs in public schools or facilities to be awarded on the basis of recognized competence and integrity rather than by the competitive bid process. Authorizes local boards of education to seek out and interview firms located in Tennessee. Requires local boards of education to negotiate a contract with a qualified firm at a rate that the board determines to be fair and reasonable. Requires local boards of education to take into account the estimated value of the service that shall be given, the scope of work, complexity of the work, and the value of the equipment. If a local board of education is unable to come to terms with a qualified firm, the board is authorized to continue to work with other qualified firms until an agreement is reached. Boards of education that have a current contract for such services may expand the scope of services, provided that such expansion is within the technical competency of the existing firm.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Existing contracts will remain in effect.
- Any new contract that is executed will be at the discretion of the LEA and would have been executed in the absence of this bill. Any permissive increase in local government expenditures is estimated to be not significant.

SB 204 – HB 240

- Any increase in local government expenditures to directly negotiate with firms for such services is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/msg